

The Hague Convention sets forth standards and procedures that can be recognized and followed by countries involved with intercountry adoptions. This legal framework provides protection to the adoptive children and their families by ensuring that agencies and individuals involved in the intercountry adoption process meet standards of competence, ethical behavior and financial soundness.

Americans are widely engaged in international adoptions. American adopted over 13,000 children international in 1997. By adopting the system developed by the Hague Convention, we can ensure that these adoptions are completed with a minimal risk of fraud, child abuse or illegal child trafficking.

Mr. Speaker, this bill adheres to two important principles. First, the legislation fully meets the requirements of the Hague Convention without attempting to reach beyond those requirements. Secondly, the bill does not override state laws on adoption except where it is absolutely necessary to conform with the Hague Convention.

Under our bill, the State Department will monitor intercountry adoption cases and liaise with foreign governments on behalf of adoptive parents. In addition, State will maintain a case registry to track all adoptions involving immigration of a child into the U.S. and all adoptions involving emigration from the U.S. to any other Convention country.

The bill also designates the Department of Health and Human Services with the responsibility of accrediting adoption service providers. In allows for HHS to designate one or more private, non-profit organizations to serve as accrediting entities. The bill also provides oversight authority and prescribes actions that can be taken by the Secretary of HHS should an accrediting agency or an accredited entity fail to comply with the standards.

My intention is to promptly move ahead with this legislation and the International Relations Committee plans to hold hearings on this legislation in the near future. I greatly appreciate the interest and assistance provided by my colleagues in crafting this bill. I look forward to working with House members as we move this bill forward.

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INTRODUCTION OF THE  
INTERCOUNTRY ADOPTION OF 1999

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 22, 1999*

Mr. CAMP. Mr. Speaker, I am very proud to join with my friend and colleague, the Chairman of the House International Relations Committee BENJAMIN GILMAN, in introducing the Intercountry Adoption Act of 1999, legislation to implement the Hague Convention on Intercountry Adoption. His leadership on this important issue is a testament to his concern for the safety and well-being of children looking forward to permanent and loving adoptive families.

More and more, American couples are looking abroad as they seek to expand their families through adoption. The United States adopts more children than any other country.

We're the land of opportunity, in so many ways, and intercountry adoption is yet another example of that fact. As the world's leader in adopting children of other countries, we have a responsibility to ensure that intercountry adoption take place in a way that guarantees the children's safety and fully protects the rights of both the adoptive parents and the birth parents.

For that reason, the United States in 1994 signed the Hague Intercountry Adoption Convention, which establishes basic international procedures for concluding safe intercountry adoptions. We've heard too many stories about the small minority of unscrupulous agencies and individuals who have bribed parents or foreign officials, deceived prospective adoptive parents about the costs of an adoption or actually who the child is that they are adopting, and even stories about the selling of children. Though such horror stories are a small minority, we need to ensure that international standards are in place so only competent and law-abiding agencies and individuals are involved in intercountry adoptions.

The Intercountry Adoption Act, which we are introducing today, implements the Hague Convention. The bill's first main provision would establish the State Department as a "Central Authority," to monitor intercountry adoptions and provide assistance to adoptive parents in dealing with officials in other countries.

Secondly, the bill calls for the Department of Health and Human Services to designate one or more private, non-profit organizations to serve as accrediting bodies which would then accredit U.S. adoption service providers in accordance with strict standards of ethics, competence, and financial soundness. These accredited agencies could then facilitate intercountry adoptions in other countries under the Hague Treaty.

Mr. Speaker, we can be proud of our success domestically, in increasing adoptions here in the U.S. and decreasing the time many of our children spend in foster care. Our 1997 legislation, the Adoption and Safe Families Act, has led to enormous increases in domestic adoptions. The Intercountry Adoption Act takes the next step, to ensure that international adoptions are safe, and that they are in the best interests of the child, the birth parents, and the adoptive parents. I look forward to working with Chairman GILMAN and other Members of Congress interested in international adoption, and I urge my colleagues to join us in supporting this important legislation.

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PROTECTING CHILDREN IN  
INTERCOUNTRY ADOPTIONS

**HON. SAM GEJDENSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 22, 1999*

Mr. GEJDENSON. Mr. Speaker, I rise in support of the Inter-Country Adoption Act of 1999, bipartisan legislation that has been introduced today. This legislation, of which I am an original co-sponsor, seeks to implement the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (the "Hague Convention"), which the

President transmitted to the Senate for its advice and consent on June 11, 1999.

For many years, children from across the world have found loving and nurturing homes here in the United States. American families have opened their arms to these needy children who might otherwise have remained orphans in their own countries. Likewise, while fewer in number, U.S. children are also placed with foreign nationals who seek to grow their families through adoption. And yet, amid the many shining examples of successful intercountry adoptions, there remain a substantial amount of cases where the results have not been as positive. For this reason, it is absolutely imperative that we take prompt action to ratify and implement the Hague Convention here in the United States—above all, to protect the rights of, and prevent abuses against, children, birth families and adoptive parents involved in inter-country adoptions. The Convention provides a legal framework whereby agencies and individuals would be required to meet internationally agreed upon standards of competence, financial soundness and ethical behavior.

The legislation before you today would also ensure that such adoptions are indeed in the children's best interests. Among other matters, it establishes a central point of contact for intercountry adoptions under the Convention, provides for minimum standards for agencies and other persons involved in facilitating intercountry adoptions, and includes stiff civil and criminal penalties for anyone involved in misconduct such as fraud relating to intercountry adoptions. Through these and other mechanisms, this bill would facilitate the Federal Government's efforts to assist U.S. citizens seeking to adopt children from abroad and residents of other Convention countries seeking to adopt children from the United States. At the same time, this bill seeks to achieve these objectives in a way that would not preempt state law except to the minimum extent necessary.

There is no reason why we should not take this important step towards safeguarding the rights of needy children, their birth parents and adoptive families. We must work together to strengthen international cooperation in adoption cases and do everything within our power to prevent abuses. I want to commend Chairman GILMAN for his work in introducing this legislation, the many members who worked together to fashion a bipartisan bill, and all members who have joined us as original co-sponsors of this legislation.

Please join me in pledging your support for the Inter-Country Adoption Act of 1999.

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HAGUE INTERCOUNTRY ADOPTION  
ACT

**HON. TOM BLILEY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 22, 1999*

Mr. BLILEY. Mr. Speaker, I am a proud co-sponsor of the Hague Intercountry Adoption Act introduced today on behalf of thousands of children and adoptive families. After months of work, this bill represents a bipartisan approach

to address only the issues necessary to implement the Hague Convention on Inter-country Adoption. The future success of this bill dictates that we fulfill our obligations under the Hague Convention and leave all other matters for another time.

As an adoptive father, adoption is very close to my heart. My profound commitment to helping vulnerable children has been shown in legislation I have sponsored to promote adoption over the years. I am committed to helping children without parents in the U.S. and around the world join a loving home. The Hague Inter-country Adoption Act builds upon a foundation established by adoptive families in America. The willingness of many families to travel across the world to adopt orphaned children shows the true spirit of America.

Thousands of children worldwide are waiting helplessly for parents to read to them, to teach them how to tie shoe laces, to say bedtime prayers with them, and to eat ice-cream with them on a summer night. It is in the best interest for a child to be part of a loving family. Only as a last resort should intercountry adoption be a option. However, after all steps to place a child for adoption in their birth country are exhausted, intercountry adoption must be a viable and safe option for the children and adoptive parents. It takes a great deal of faith for one country to allow their children to be adopted by people from another country. As a result, officials in other countries are looking for accountability at a federal level to ensure the safety and rights of their children.

In the last year, I have met with several Members of the Russian Duma and the Director General of China Center on Adoption Affairs. I informed both delegations that the U.S. Congress places significant emphasis on the future of intercountry adoption. The Hague Inter-country Act specifically addresses the issue of a central authority in the U.S. State Department for other countries to contact in case there is a problem with an intercountry adoption.

Adoptive parents will benefit by an accreditation system required by all agencies who provide intercountry adoption services. A strong accreditation process will help prevent some people from taking advantage of vulnerable parents in the process of building a family through adoption. Adoptive parents in America deserve to know that their adoption agency has passed a vigorous and thorough accreditation standard.

Adoptive parents and government officials demand to know unethical behavior will not be tolerated. The Hague Inter-country Adoption Act provides for civil money penalties up to \$25,000 for a first violation and up to \$50,000 for each subsequent violation by unscrupulous individuals and agencies.

In order to ensure ethical behavior for all involved, the above-mentioned civil penalties apply to any individual who provides adoption services in the United States in connection with Convention adoptions without proper accreditation or approval. Additionally, if one provide false statements, improperly induces consent from a birth mother to relinquish her parental rights or violates the privacy provisions contained in Section 401, they will also be subject to fines of up to \$25,000 and \$50,000. Criminal penalties in the same amounts will

also apply for violations. The strong enforcement provisions included in the Hague Inter-country Adoption Act are a necessary tool to ensure penalties go far beyond the cost of merely doing business.

Rarely does Congress have an opportunity to improve the lives of children and families. The Hague Inter-country Adoption Act gives the U.S. Congress an opportunity to stand-up and reaffirm our support for intercountry adoption.

#### INTRODUCTION OF THE INTER-COUNTRY ADOPTION ACT OF 1999

**HON. WILLIAM D. DELAHUNT**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 22, 1999*

Mr. DELAHUNT. Mr. Speaker, I am proud to join with Chairman GILMAN and over 30 of our colleagues in introducing the Inter-country Adoption Act of 1999.

This bipartisan legislation will implement the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption (the "Hague Convention"), which the President transmitted to the Senate for its advice and consent on June 11, 1999.

Prompt U.S. ratification and implementation of the Hague Convention is of enormous importance to many thousands of needy children throughout the world and the American families who adopt them. The Convention establishes a legal framework for protecting these children and families by ensuring that agencies and individuals involved in the inter-country adoption process meet standards of competence, financial soundness, and ethical behavior. It creates a structure to strengthen international cooperation in adoption cases, and to ease the burdens of what can be an expensive, time-consuming and stressful process.

As the adoptive parent of a child born overseas, I know what the Convention will mean to countless families like mine.

The Inter-country Adoption Act provides a blueprint that will enable the United States to carry out its obligations under the Convention, ensuring reciprocal recognition of adoptions by the United States and other Convention countries, eliminating much current paperwork connected with the legalization of documents, and creating legally enforceable safeguards for adoptive children and their families.

The bill designates the Department of State as the "central authority" for the United States, with responsibility for liaison with the central authorities of other Convention countries and the coordination of Convention activities by persons subject to U.S. jurisdiction.

The bill also assigns certain key functions to various domestic agencies, to be carried out in consultation with the Secretary of State. The Secretary of Health and Human Services is given responsibility for overseeing the accreditation and approval of organizations and individuals providing adoption services in the United States in connection with Convention adoptions. To the Attorney General are given various duties related to immigration, record keeping and privacy requirements.

This legislation is the culmination of many months of hard work, and is the result of extensive consultation with many parties, including the administration and the U.S. adoption community.

We have taken a "minimalist" approach to our task, deferring, wherever possible, to the state laws by which we have always regulated adoption in this country, and resisting attempts to use the bill as a vehicle for carrying out changes to domestic adoption practices at the federal level that are not required to bring our laws into compliance with the Convention.

Our goal throughout this process has been to put adoptive children first, through the prompt ratification and implementation of the Convention. We have done our utmost to steer clear of extraneous issues that might delay or derail that objective.

The International Relations Committee and the Committee on Ways and Means will shortly begin consideration of this legislation, and it is my sincere hope that the bill will move forward expeditiously in the same spirit of cooperation that has enabled us to reach this milestone.

#### AMERICA'S SENIORS DESERVE FAIRNESS

**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 22, 1999*

Mr. UNDERWOOD. Mr. Speaker, it is no secret that drug manufacturers all across the nation have and continue to engage in the unfortunate practice of price discrimination. On the brunt end of this discrimination is our senior citizens, a constituency who by no means deserves this ill and insensitive treatment. Today, seniors who purchase their own prescription drugs are forced to pay twice as much for their drugs as the federal government and Health Maintenance Organizations (HMOs). This financial burden must be eliminated and this discrimination must come to an end. Fairness for our seniors can prevail by Congress addressing this situation now.

Price discrimination on the part of drug manufacturers in this country has brought devastating effects on older Americans. Acting on their vulnerability, drug manufacturers have taken advantage of older Americans while giving breaks to their most favored customers: the federal government and HMOs. The exorbitant cost of prescription drugs forces seniors to choose between buying food to feed themselves, paying the electric bill to warm their home in the brutal winter, and paying for the medications they so desperately need to stay healthy and well. It is not fair to put seniors, who have limited and fixed incomes, in a situation of having to choose between life's necessities. Allowing this discrimination and unfairness to continue is simply wrong and only exacerbates this situation.

Mr. Speaker, there is a solution to this problem. Legislation crafted by my colleagues, TOM ALLEN, JIM TURNER, and MARION BERRY, will reduce prescription drug prices for older Americans by over 40 percent without any significant cost to the federal government. I am a